

Incoming
S/039/0024

Peter Brinton <peterbrinton@utah.gov>

task 6413

Freedom From War / New Start Mine - we still need NOI pages/maps

Peter Brinton <peterbrinton@utah.gov>
To: Boyd Brotherson <brothers@cut.net>
Cc: Paul Baker <paulbaker@utah.gov>

Wed, Jan 21, 2015 at 9:10 AM

I am impressed - I don't have a tablet, and at this point, have about an hour of time I've spent on one, max! So you are ahead of the curve on that one.

We'll accept your forwarded email below as your request to add the two maps and four pages to the Notice. We should have everything that we need from you now, and will be sending a letter to the bank to initiate the money transfer. Thanks for letting me bug you. Enjoy Mexico if we don't catch up before you leave.

Peter

On Wed, Jan 21, 2015 at 8:47 AM, Boyd Brotherson <brothers@cut.net> wrote:

This new technology stuff can't make it all work, my tablet works different than the computer, all I brought was the tablet, uargh!!!, you said I didn't need a notary on the maps and paper work just an email well here it is, authorizing as such my signature. Boyd A Brothersen.

On Wednesday, January 21, 2015, Peter Brinton <peterbrinton@utah.gov> wrote:

> Good to hear. I think I heard that there was some pretty good weather down south last week (or maybe this coming week?). Don't let me rush you too much.

> Actually, we don't require that you have the Notice paperwork and maps notarized, but you could do that if you want. Either way. Your signature or email request is enough.

> On Tue, Jan 20, 2015 at 9:31 PM, Boyd Brotherson <brothers@cut.net> wrote:

>>

>> Good weekend camping at Sandhollow Res., went and bought a printer and printed out a copy today. I'll find a notary some place in St. GEORGE tomorrow. It's coming, I promise.

>>

>> On Jan 20, 2015 4:55 PM, "Peter Brinton" <peterbrinton@utah.gov> wrote:

>>>

>>> Hi Boyd,

>>> Hopefully it was a good weekend for you. I thought I would remind you that we still need Notice pages 3-6 and the operations and location maps to complete your Notice, and before we can approve the pending transfer.

>>> We received Todd's transfer doc and his request that the bond be re-posted in your name for operation at the site, and are sending the appropriate letter to get that going. Once we have the bond in place and a complete Notice, we'll approve the transfer.

>>> You've been sent three emails (two with the maps, and one with the pages) proposing that we incorporate the maps and pages into your Notice. If you want us to do that, please email me back to let me know that the maps and pages 3-6 should be added to the Notice.

>>> Thanks.

>>> Peter

>>>

>>> --

>>>

>>> Peter Brinton

>>> Environmental Scientist/Engineer II

>>> Utah Division of Oil, Gas & Mining

>>> Office Phone: 801-538-5258

>>> Days: M - Th, Every Other Friday

>>> Hours: 7:30am - 5:00pm

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5. **Ownership of Land Surface:**

Private (Fee) (☒) BLM (☐) US Forest Service (☐)
 State Trust Land/School Sections (☐) State Sovereign Lands (☐)
 Other (please describe): _____

Name Boyd Brothersen Address 22 W. Main St., Mount Pleasant, Utah 84647
 Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____

6. **Ownership of Minerals:**

Private (Fee) (☒) BLM (☐) US Forest Service (☐)
 State Trust Land/School Sections (☐) State Sovereign Lands (☐)
 Other (please describe): _____

Name Boyd Brothersen Address 22 W. Main St., Mount Pleasant, Utah 84647
 Name _____ Address _____
 Name _____ Address _____
 Name _____ Address _____

BLM Claim Number(s): N/A
 Utah State Lease Number(s): N/A
 BLM/USFS Lease or Project File Number(s): N/A

Name of Lessee(s): N/A

7. **Have the above surface and mineral owners been notified in writing?** Yes ☒ No _____
 If no, why not? _____

8. **Does the Entity have legal right to enter** and conduct mining operations on the land covered by this notice? Yes ☒ No _____

What is the pre-mining land use, i.e. cropland, grazing, wildlife habitat? grazing/wildlife habitat

What is the postmining land use? grazing/wildlife habitat

*Please be advised that if State Trust Lands are involved, notification to the Division of Oil, Gas and Mining alone does not satisfy the notification requirements of Mineral Leases upon State Trust Lands. Exploration or mining activity on State Trust Lands requires a minimum of 60 days notice to the Trust Lands Administration **prior** to commencing any activities. Please contact the School Institutional Trust Lands Administration (SITLA) at (801) 538-5508 for notification requirements.*

II. **PROJECT LOCATION & MAP** (Rule R647-3-105)

1. **Project Location & Map** (legal description):

County(ies): Sanpete County
 _____ 1/4, of SE 1/4, of NW 1/4, Section: 24 Township: _____ Range: _____
 _____ 1/4, of SW 1/4, of NE 1/4, Section: 24 Township: _____ Range: _____
 _____ 1/4, of _____ 1/4, of _____ 1/4, Section: _____ Township: _____ Range: _____
 UTM East: 444330 m (if known) UTM North: 4382070 m (if known)
 Name of Quad Map for Location: Not required

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2. **Is the project within an incorporated area?** (☐) Yes (☒) No
If yes, what is the town or city? _____
3. **Location and Operations maps** must be plotted at a scale to accurately identify locational landmarks and operations details. All maps must include a north arrow, scale, appropriate labels, and title box including the mine name, township, range and section.
 - a. The **general location map** must be the scale of a USGS 7.5 minute series map or equivalent (1"=2000') and identify new or existing access roads.
 - b. The **operations map** (1"=200' or other scale as determined necessary by the Division) must be labeled and identify:
 - i. The area to be disturbed;
 - ii. The location of any existing or proposed operations including access roads, drill holes, trenches, pits, shafts, cuts, or other planned activities; and
 - iii. Any adjacent previous disturbance for which the operator is not responsible.
 (Contact the Division for a list of consultants and land surveyors for mapping assistance.)
4. The proposed (5 acre or less) disturbed area (including access/haul roads) should be marked ON THE GROUND with metal T-Posts (or with some other marker of equal effectiveness). Markers should be appropriately spaced so that the next marker in either direction is clearly visible with the naked eye.

III. **OPERATION PLAN** (Rule R647-3-106)

1. **Type of mining:** Surface (☒) Underground (☐)
2. **Mineral(s) to be mined:** landscape boulders
3. **Amount of material** to be extracted, moved, or proposed to be moved: 20,300 yd³ maximum (conservatively assumes 3 feet of material moved on average over 4.2 acres of pits/piles)
4. Will any **water, liquid chemicals, reagents, or other solutions** be used, produced or discharged as part of the mining or milling process? Yes (☐) No (☒) If yes, please describe (add extra pages if needed): _____
5. Provide a brief **description of the proposed mining operation**, and onsite processing facilities (add extra pages if necessary). No additional disturbance beyond the existing disturbance is proposed currently. The only landscape rock to be produced under this plan will be from already disturbed areas. No excavation in graded areas or expansion of existing pits is planned. Landscape boulders will be removed from spoil piles and existing pits and stockpiles during the reclamation of past mining disturbance using heavy equipment (such as an excavator), and will be stockpiled and/or loaded into trucks for off-site transport. Stockpiles may be suitable for small animal habitat if not removed during reclamation. Undersize rock will be used to rip rap two dry washes entering the south area from the west.
6. (☒) **New Road(s):** Length 1800 (ft), Width 12 (ft) (New in 2007)
7. (☐) **Improved Road(s):** Describe improvements that need to be made to existing roads to access the site, including the Length _____ (ft) and Width _____ (ft) of new disturbances.
8. Total project surface **acreage to be disturbed:** 20.6 acres [4.2 acres existing acres in need of grading, 11.6 acres graded & not fully vegetated, 4 acres vegetated & released, 0.8 acre for post-mining land use by landowner [including 0.5 acre road and 0.3 acre for equipment storage]]
9. **Approximate Startup date (year):** 2007
10. Proposed **completion**, if known (month, year): November 2016 (or perhaps later)

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IV. OPERATION AND RECLAMATION PRACTICES (Rule R647-3-107, 108 & 109)

The reclamation and operation obligation is to keep the area clean and safe, minimize hazards to public safety, return the land to a useful condition, and reestablish at least 70 percent of the premining vegetative ground cover or within practical limits. To accomplish this, the Permittee / Operator will need to perform reclamation concurrently, or at the completion (within one (1) year) of mining. Please refer to The Practical Guide to Reclamation in Utah, available at: https://fs.ogm.utah.gov/pub/MINES/Coal_Related/RecMan/Reclamation_Manual.pdf.

1. *Keep the mining operation in a safe, clean, and environmentally stable condition.*
2. *Permanently seal all shafts and tunnels to prevent unauthorized or accidental entry.*
3. *Plug drill holes with a five foot cement surface plug. Holes that encounter fluids are to be plugged in the subsurface to prevent aquifer contamination.*
4. *Construct berms, fences, or barriers, when needed, above highwalls and excavations.*
5. *Remove, isolate, or neutralize all toxic materials in a manner compatible with federal and state regulations.*
6. *Remove all waste or debris from stream channels.*
7. *Dispose of any trash, scrap metal, wood, machinery, and buildings.*
8. *Conduct mining activities so as to minimize erosion and control sediment.*
9. *Reclaim all roads that are not part of a permanent transportation system.*
10. *Stockpile topsoil and suitable overburden prior to mining.*
11. *Stabilize highwalls by backfilling or rounding to 45 degrees or less, where feasible; reshape the land to near its original contour, and redistribute the topsoil and suitable overburden.*
12. *Properly prepare seedbed to a depth of six inches by pocking, ripping, discing, or harrowing. Leave the surface rough.*
13. *Reseed disturbed areas with adaptable species. (The Division recommends a mixture of species of grass, forb, and browse seed, and will provide a specific species list if requested.)*
14. *Plant the seed with a rangeland or farm drill, or broadcast the seed. Fall is the preferred time to seed.*

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V. VARIANCE REQUEST (Rule R647-3-110)**Any variance must be approved writing *in advance* by the Division**

Any planned deviations from Rules R647-3-107, Operation Practices, R647-3-108, Hole Plugging Requirements, or R647-3-109, Reclamation Practices, as summarized above (see IV. Operation and Reclamation Practices Item # 1-14), should be identified below listing applicable rule number. Give justification for the variance(s) and alternate methods or measures to be utilized to meet the intent of the rule. Written approval from the Division will be given, if the proposed alternative methods to be used are consistent with the Act.

Are variances being requested? Yes (☐) No (☒)

Variance Requested

N/A

Item # Applicable Rule

Justification: N/A

Alternate methods or measure to be utilized: N/A

Attach additional page(s) if more variances are requested.

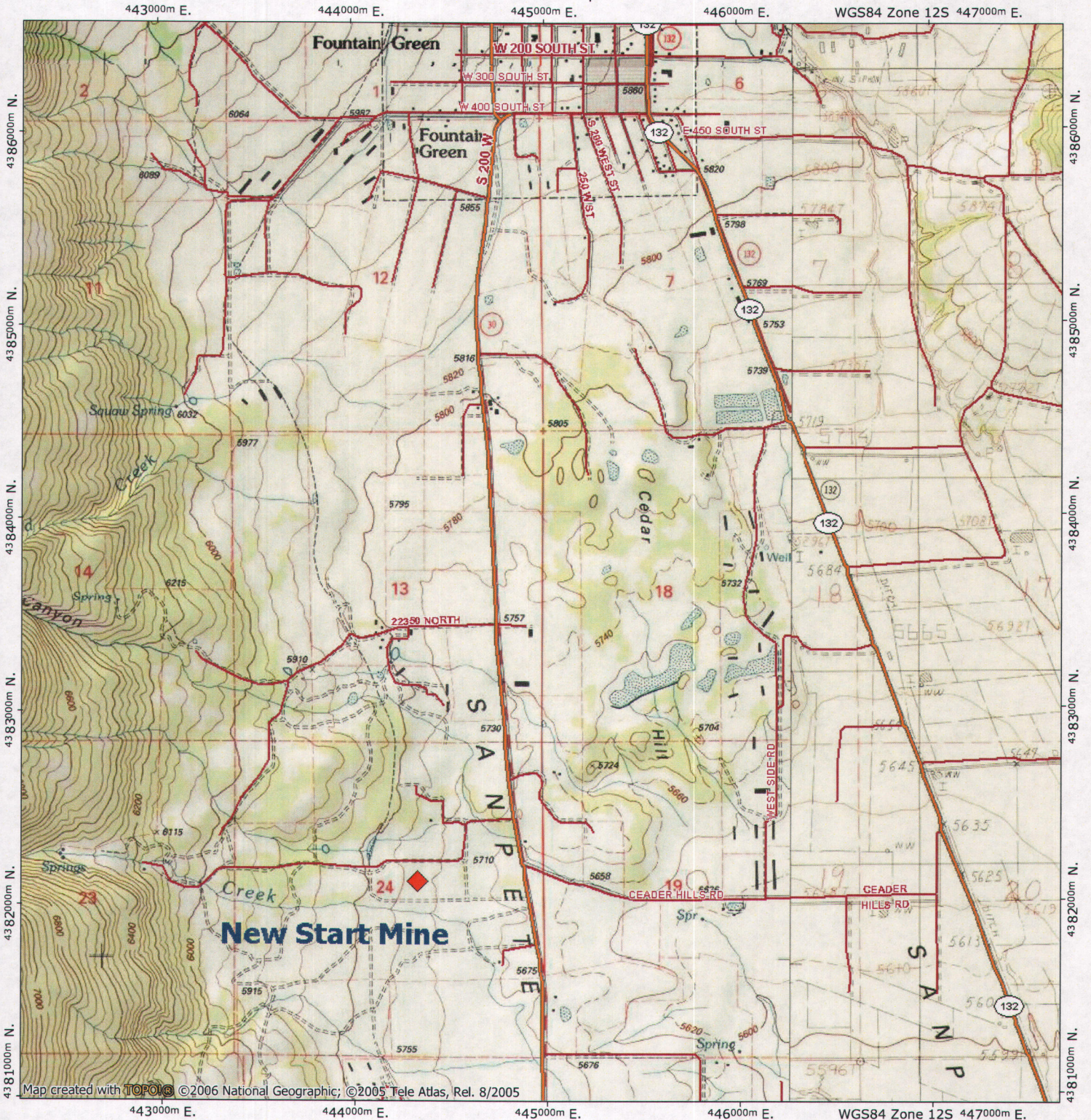
VI. SURETY (Utah Code Ann. §40-8-7(1)[c])

A reclamation contract and surety must be provided to and approved by the Division prior to commencement of operations. No surface disturbance is authorized until the surety is posted and approved in writing. The surety may be provided in the form of a certificate of deposit, a letter of credit, a surety bond, or cash. Please contact the Division for further information about submitting the surety. All mining operations are required to furnish and maintain reclamation surety to guarantee that the land affected is reclaimed (Utah Code Ann. §40-8-7(1)[c]).

The reclamation surety amount is based on the nature, extent and duration of operations. The amounts are based on data from current large mine surety and are used as a general guide, along with actual site conditions. Reclamation surety for small mines is reviewed every three (3) or five (5) years and adjusted as necessary for inflation/deflation based upon acceptable Costs Index.

Contact the Division for the dollar amount required for a three (3) or five (5) year period for this project.

Location Map

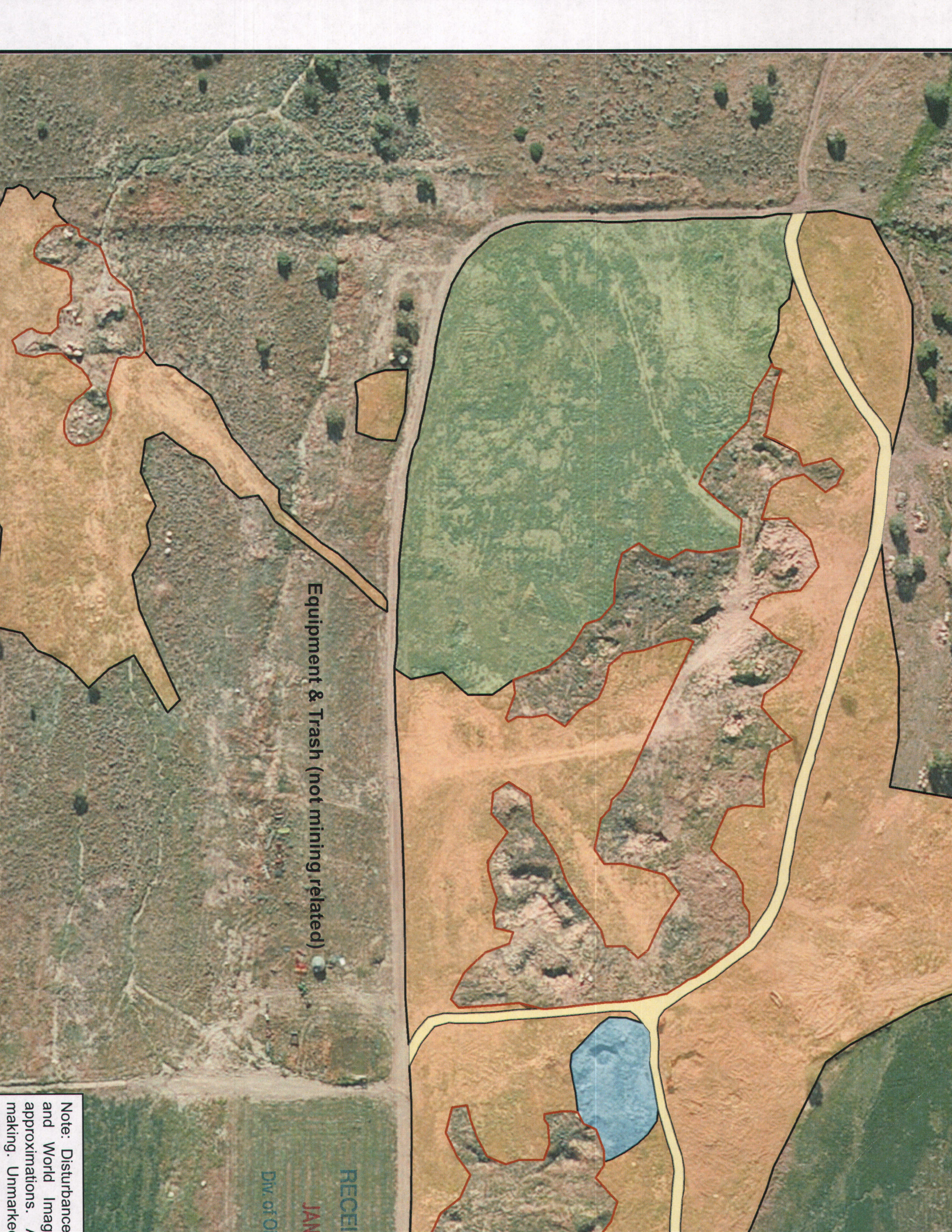


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Equipment & Trash (not mining related)

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Note: Disturbance and World Imag approximations. / making. Unmarked